

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. _____

v. :
JARAD DILLARD : DATE FILED: _____
CHARLES E. WITHERSPOON :
SWAIN L. BUTLER, JR. : VIOLATION:

18 U.S.C. § 2113(d)(Attempted Armed bank robbery - 1 count);
18 U.S.C. § 2113(d)(Armed bank robbery - 1 count);
18 U.S.C. § 924(c)(Using and carrying a firearm during and in relation to a crime of violence - 2 counts);
18 U.S.C. § 2 (Aiding & Abetting)
Notice of Forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about May 9, 2003, at Lansdale, in the Eastern District of Pennsylvania, defendants

JARAD DILLARD,
CHARLES E. WITHERSPOON
and
SWAIN L. BUTLER, JR.

knowingly and unlawfully, did attempt by force and violence, and by intimidation, to take, and aid and abet the taking, from an employee of the PNC Bank, 501 North Broad Street, Lansdale, Pennsylvania, lawful currency of the United States belonging to, and in the care, custody, control, management and possession of the PNC Bank, the deposits of which were and are

insured by the Federal Deposit Insurance Corporation, and in so doing, defendants JARAD DILLARD, CHARLES E. WITHERSPOON and SWAIN L. BUTLER, JR. did knowingly and unlawfully assault and put in jeopardy the life of an employee of the PNC Bank, and other persons, by the use of a dangerous weapon, that is a handgun.

In violation of Title 18, United States Code, Sections 2113(d) and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 9, 2003, at Lansdale, in the Eastern District of Pennsylvania, defendants

JARAD DILLARD
CHARLES E. WITHERSPOON
and
SWAIN L. BUTLER, JR.

knowingly used and carried, and aided and abetted the use and carrying of a firearm, that is, a handgun, during and in relation to a crime of violence for which they may be prosecuted in a Court of the United States, that is, attempted armed bank robbery, in violation of Title 18, United States Code, Section 2113(d), as charged in Count One of this Indictment.

In violation of Title 18, United States Code, Sections 924(c), 924(c)(1)(A)(ii), 924(c)(4) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 24, 2003, at Sellersville, in the Eastern District of Pennsylvania,
defendants

JARAD DILLARD,
CHARLES E. WITHERSPOON
and
SWAIN L. BUTLER, JR.

knowingly and unlawfully, by force and violence, and by intimidation, took, and aided and abetted the taking, from employees of the Harleysville National Bank, 209 North Main Street, Sellersville, Pennsylvania, lawful currency of the United States, that is, approximately \$33,470, belonging to, and in the care, custody, control, management and possession of the Harleysville National Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, and in so doing, defendants JARAD DILLARD, CHARLES E. WITHERSPOON and SWAIN L. BUTLER, JR. did knowingly and unlawfully assault and put in jeopardy the lives of the employees of the Harleysville National Bank, and other persons, by the use of dangerous weapons, that is, a loaded black Ruger, Model P-95, 9mm semi-automatic pistol and a loaded Smith & Wesson, Model 6906, 9mm semi-automatic pistol.

In violation of Title 18, United States Code, Sections 2113(d) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 24, 2003, at Sellersville, in the Eastern District of Pennsylvania,
defendants

JARAD DILLARD,
CHARLES E. WITHERSPOON
and
SWAIN L. BUTLER, JR.

knowingly used and carried, and aided and abetted the use and carrying of firearms, that is, a loaded black Ruger, Model P-95, 9mm semi-automatic pistol and a loaded Smith & Wesson, Model 6906, 9mm semi-automatic pistol, during and in relation to a crime of violence for which they may be prosecuted in a Court of the United States, that is, armed bank robbery, in violation of Title 18, United States Code, Section 2113(d), as charged in Count Three of this Indictment.

In violation of Title 18, United States Code, Sections 924(c), 924(c)(1)(A)(ii), 924(c)(4) and 2.

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Section 924(c), set forth in Count Four of this Indictment, defendants

JARAD DILLARD,
CHARLES E. WITHERSPOON
and
SWAIN L. BUTLER, JR.

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code Section 2461(c), all firearms and ammunition involved in the commission of this offense, including, but not limited to:

- a) one black Ruger, Model P-95, 9mm semi-automatic pistol, serial number 315-22709 and ammunition; and
- b) one Smith & Wesson, Model 6906, 9mm semi-automatic pistol, serial number TDF-220 and ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN

United States Attorney